

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen
DATE: March 26, 2008

SUBJECT: **ENTITLEMENT PLAN AMENDMENT NO. 2008-002 (ROYAL STREET COMMUNICATIONS WIRELESS COMMUNICATION FACILITY – AMENDMENT TO CONDITIONAL USE PERMIT NO. 2006-042)**

LOCATION: 20470 Ravenwood Lane, 92646 (south of Warwick Drive, west of Santa Ana River – Southern California Edison easement)

Applicant: Jane Norine, 350 Commerce Drive #200, Irvine, CA 92602

Property Owner: Scott Haney, Southern California Edison, 4900 Rivergrade Road, Building 2B1, Irwindale, CA 91706

Request: To delete a condition of approval requiring completion of an environmental assessment for the LeBard Park Master Plan prior to issuance of a building permit for a wireless communications facility.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: RL (Residential Low Density)

General Plan: P (Public)

Existing Use: Southern California Edison tower

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of the installation of small new equipment and facilities in small structures.

SUGGESTED FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2008-002:

1. Entitlement Plan Amendment No. 2008-002 to delete a condition of approval requiring completion of an environmental assessment for the Le Bard Park Master Plan prior to issuance of a building permit for a wireless communication facility will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The previously approved plans provided vehicular access for maintenance purposes through Le Bard Park. Subsequent to the approval of the project, the location of the access easement was changed from north of the facility through Le Bard Park to south of the facility from Atlanta Avenue through the Southern California Edison (SCE) right-of-way. Since the access easement is not located within Le Bard Park, the condition of approval is no longer applicable.
2. The entitlement plan amendment will be compatible with surrounding uses because the access easement will be located entirely on existing Southern California Edison right-of-way where there are existing transmission towers and a landscaping nursery. The new access easement location in the SCE right-of-way is separated from residential structures and streets, thus minimizing any potential impacts to residents in the vicinity.
3. The proposed Entitlement Plan Amendment No. 2008-002 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance Section 230.96—Wireless Communication Facilities. No other modifications are proposed.
4. The granting of the entitlement plan amendment will not adversely affect the General Plan. It is consistent with the Land Use Element designation of P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 4.2.4: Require that all development be designed to provide adequate space for access, parking, supporting functions, open space and other pertinent elements.

Entitlement Plan Amendment No. 2008-002 provides an alternate means of access the wireless communication facility without impact the design of LeBard Park or any of the nearby residential streets.

SUGGESTED CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2008-002:

1. The site plan, floor plans, and elevations received and dated January 23, 2008 shall be the conceptually approved design.

2. All conditions of approval required under Conditional Use Permit No. 06-042, with the exception of Condition of Approval No. 2, shall remain valid and shall be completed at the appropriate stage of development.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.